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CPA/1615/  
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PTO/SB/29 (12/97)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:  
 DUPLICATE

<b>Address to:</b> Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No.	17649-20
	First Named Inventor	Sam Schwartz
	Express Mail Label No.	EL585708167US
	Total Pages	

APR 09 2001  
TECH CENTER 1600/2900

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/220,986 filed on December 23, 1998, entitled **COSMETIC AND TISSUE CLEANSING AND MOISTURIZING COMPOSITION**.

### NOTES

4-18-01  
Bef

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995, or (2) the national stage of an international application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1.  Enter the unentered amendment previously filed on December 13, 2000 under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:

---

  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5.  Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

(Page 1 of 2)

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	5 - 20 =	0	x \$ 18.00 =	\$ 0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	1 - 3 =	0	x \$ 80.00 =	\$ 0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			x \$ 135.00 =	\$ -0-
				BASIC FEE (37 CFR 1.16(a))	\$ 710.00
			Total of above Calculations =		\$ 710.00
			Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).		\$ 355.00
				TOTAL =	\$ 355.00

## 6. Small entity status:

- a.  A small entity statement is enclosed.
- b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c.  is no longer claimed.

## 7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to

Deposit Account No. 16-2230:

- a.  Fees required under 37 CFR 1.16.
- b.  Fees required under 37 CFR 1.17.
- c.  Fees required under 37 CFR 1.18.

8.  A check in the amount of \$355.00 is enclosed (Check No. 022359).9.  Other: \_\_\_\_\_

**NOTE:** *The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.*

## 10. NEW CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Labelor  New correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	OPPENHEIMER WOLFF & DONNELLY LLP			
ADDRESS	2029 Century Park East, 38 <sup>th</sup> Floor			
CITY	Los Angeles	STATE	California	ZIP CODE
COUNTRY	United States of America	TELEPHONE	310-788-5000	FAX

## 11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME Michael B. Farber, Registration No. 32,612SIGNATURE Michael B. FarberDATE April 4, 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sam Schwartz      Examiner: Kishore, G.  
Serial No. 09/220,986      Group Art Unit: 1615  
Filed: December 23, 1998      Docket No. 17649-20  
Title: COSMETIC AND TISSUE CLEANSING AND MOISTURIZING  
COMPOSITION

I hereby certify that this correspondence and identified enclosures are being deposited with the United States Postal Service, first class mail, postage prepaid, under 37 C.F.R. 1.10 on the date indicated, and is addressed to: Box: Non-Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231 on December 10, 2000.

  
Justina Townsend

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION UNDER 37 C.F.R. § 1.116

Honorable Assistant Commissioner for Patents  
Washington, D.C. 20231

Gentlemen:

In response to the Office Action dated October 10, 2000 (Paper No. 10), please amend the above-identified application as follows:

In the Claims:

Please cancel claims 1-13 and 19-20 without prejudice to Applicant.

Please amend the following claims.